

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.883 OF 2003

Shri Motilal K. Thanvi .. Appellant

Versus

Shri A.J.Shah and Ors. .. Respondents

Mr.M.R.Katkar for appellant.

None for respondents

CORAM : P.V.KAKADE, J.

DATE : 9TH SEPTEMBER, 2004.

P.C.:

1. Heard Mr.Katkar, the learned counsel for the appellant. He fairly brings to my notice that the suit in fact not maintainable as can be seen from para 16 of the Judgment of the Lower Court. Consequently the Order of dismissal of the suit appears to be correct, therefore, in view of the facts and circumstances the appeal stands dismissed.

2. Parties to act on a copy of this order duly

authenticated.